

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF OGDENSBURG  
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM  
July 12, 2021**

Mayor Hutnick called the meeting to order at 7:00PM.

Mayor Hutnick led the Pledge of Allegiance.

**ROLL CALL:** Alvarez (via phone), Cowdrick, Nardini, Nasisi, Slater, Mayor Hutnick

Absent: DeMeo

Also, in attendance was Robert McBriar, Borough Attorney and Mike Marceau, CFO

**STATEMENT BY MAYOR:** “Notice requirements of P.L. 1975, Open Public Meeting Act, NJSA10:4-6 et.seq. have been satisfied with a schedule of all meetings, together with the time, location and agenda of same being sent to the NEW JERSEY HERALD and NEW JERSEY SUNDAY HERALD and posted on the bulletin board in the Borough Hall on January 5, 2021.”

Councilwoman Slater moved Councilwoman Cowdrick seconded motion for approval of items on the consent agenda.

**CONSENT AGENDA**

1. Approval of regular meeting minutes from June 28, 2021.
2. Approval of Resolution 52-2021 authorizing the discharge of mortgage between the Borough of Ogdensburg and Patricia N. McGroarty, 12 Jefferson Terrace, Ogdensburg Block 3.04 Lot 11.
3. Accept for filing letter dated June 17, 2021 to Sussex County Planning Board from Robin Hough, RMC/CMR re: Borough of Ogdensburg Ordinance 07-2021.
4. Accept for filing letter dated June 22, 2021 to Mayor Hutnick from NJDOT re: Passaic Avenue.
5. Accept for filing Township of Sparta Ordinance 21-10.
6. Accept for filing Township of Hardyston Ordinance 2021-08.
7. Accept for filing letter dated June 28, 2021 from Sussex County Municipal Utilities Authority Re: Rate schedule effective December 1,2020 Proposed Amendment #1 to U.W. Septage Treatment (effective August 2, 2021).
8. Accept for filing email from Sussex County Division of Engineering dated July 2, 2021 Re 2021 SC Resurfacing Program Project update notice.
9. Accept for filing 2021 SC Striping Program project start of notice distributed July 8, 2021.

**Upon Roll call Vote:**

Yeas: Alvarez, Cowdrick, Nardini, Nasisi, Slater

Nays: None Absent: DeMeo Abstain None

**Resolution 52-2021**

**WHEREAS**, the Borough of Ogdensburg (“Borough”) previously instituted a Home Improvement Program (“Program”) for the purpose of providing low cost home improvement financing to qualifying homeowners; and

**WHEREAS**, as part of this Program, the Borough granted a loan in the principal amount of \$20,000 to be used to rehabilitate property located at 12 Jefferson Terrace, Ogdensburg, New Jersey, identified on the Official Tax Maps of the Borough as Block 3.04, Lot 11; and

**WHEREAS**, said loan was secured by a mortgage in favor of the Borough dated August 31, 2006 which was recorded in the Sussex County Clerk’s Office on December 15, 2006 in Book 7915, at Pages 164-167; and

**WHEREAS**, the loan in the principal amount of \$20,000 was paid in full evidenced by check number 41176 issued to the Borough endorsed by Hudson United Title Services, LLC.

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**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Ogdensburg that the Mayor and Clerk are hereby authorized to execute a discharge of mortgage relative to the above-referenced property and take such further actions as are necessary to effectuate the purpose of this Resolution.

**ORDINANCE 07-2021**

Councilman Nardini made a motion to adopt Ordinance 07-2021 “AN ORDINANCE PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE BOROUGH OF OGDENSBURG AND AMENDING SECTION 30-105 (PROHIBITED USES) OF THE LAND DEVELOPMENT REGULATIONS OF THE BOROUGH” Seconded by Councilman Nasisi.

**Prior to final roll call, Mayor Hutnick opened the meeting to the public for any comments regarding ordinance 07-2021.**

No one from the public had any comments.

**Prior to final roll call, Mayor Hutnick closed the meeting to the public for any comments regarding ordinance 07-2021.**

**Upon Roll call Vote:**

Yeas: Alvarez, Cowdrick, Nardini, Nasisi, Slater

Nays: None Absent: DeMeo Abstain None

**OLD BUSINESS**

Heaters Pond Update – Councilman Cowdrick explained the County Health Department was at the pond inspecting today and we passed with flying colors.

Councilman Nardini commented the paint and sidewalks are done they had [the material] to seal it off at DPW.

Administrative Fees for Recreation Areas and Facilities- Mayor  
Establishment of Ogdensburg Borough Parks & Recreation Committee- Mayor

Mr. McBriar commented number two and four are somewhat delayed; as the Council is aware the subcommittee members are reviewing the fees for parks and recreation ordinance. We are still sharing ideas and making positive recommendations and solutions to these issues. Progress is still being made in those regards there will probably be a better update at the next meeting.

Amendments to Regulations for Municipal Recreation Areas – Mayor Hutnick commented he mentioned months ago and now we are going to start moving forward to form exactly what that says. The committee is designed to be town orientated/resident orientated not sports orientated only. Therefore, we will put together a group and see how it works. We’ve had several senior citizens say it would be nice if there was something for us to do; whether it’s trying to find old time music, dances at the fire house that is what the committee would figure out.

Mr. McBriar commented in the course of analyzing the other ordinances we also were evaluating this one as well based on your direction Mayor we were proposing something like an event advisory committee maybe put something in the code book to established it and recognizing it.

Mayor Hutnick commented we have an ORA they are sports related so let’s give something back to the residents and try to create [this committee].

Mr. McBriar commented we will finalize this and have a formal ordinance.

French Drain for Glenbrook/Thomas Place – Councilman Nardini commented regarding the French Drain; this is a drain we are going to put at the corner of Glenbrook and Thomas and

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explained. We received word from the engineer that we are clear there is no interference with utilities and the guys will fill that in within the next couple months.

**NEW BUSINESS**

RFP for water treatment operator – Mr. McBriar commented he has been working with the Borough engineer in preparing an RFP for this position we would like to advertise and publish this as soon as possible. A draft has been circulated Mike Nardini, Mike Vreeland, Mike Marceau, CFO and himself have looked at it. There maybe be some further recommendations from the engineer but he thinks it is appropriate at this point to entertain a motion to authorize and advertise the RFP subject to any changes deemed advisable by Mike Vreeland, himself or our CFO Mike Marceau.

Councilman Nasisi made that motion. Seconded by Councilman Nardini. All were in favor.

Fire Marshall – Councilwoman Slater commented as you all know Kevin retired as of April 30 [from fire marshal] and we have no fire marshal to take over. So, Mayor Hutnick had a meeting with the State Fire Marshall office taking over. She attended, Robin, Robert McBriar, Chief Slater, Chief Gordon we all attended that meeting with the State officials. Mr. McBriar is going to be working on the ordinance because they want us to replace our ordinance with a link or portion of their ordinance saying what their laws and regulations are what we will be [using]. Councilwoman Slater asked if we have to have a contract with the State.

Mr. McBriar commented we just identify them as the enforcement agency.

Councilwoman Slater commented do we want to make sure if we want to back out and decided to hire our own person that isn't going to be an issue.

Mr. McBriar commented that won't be a problem.

Mayor Hutnick commented that was originally stated in his phone calls with them.

Councilwoman Slater commented she just wanted to make sure we won't need anything in writing.

Councilwoman Slater commented Kevin did a lot of different things together and there was a lot of miss communication on certain things of what the fire marshal was going to handle. They do not do CCO's; they only will do the fire inspection, fire extinguisher, fire alarm, smoke detection that is it for residential sales. We don't have someone that can issue CCO's.

Mr. McBriar comments there was a fire extinguisher, smoke cert, carbonmonoxide, smoke detection. The original CCO form he [Kevin] used was because he was certified in all these different areas; zoning, code enforcement and fire. Mr. McBriar commented he thinks he was doing the CCO and was charging the fee for their smoke cert. So, what the State is saying is they will absorb those limited responsibilities together with the other things they are doing. The smoke cert, fire extinguisher but what they don't do is a CCO in terms of code compliance; going in there and looking at the structure.

Councilwoman Slater commented we can either see if the State will do that for us or we can hire someone else.

Mayor Hutnick commented that can fall under the zoning officer.

Councilman Nasisi commented doesn't that fall under our building department. Councilwoman Slater commented no.

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Mr. McBriar commented does the Council want the State to do the fire; they have a fee schedule already in place it a graduated schedule so that if you call the night before it will be higher than if you plan it two weeks out.

Mayor Hutnick commented right now the State should handle anything fire related.

Councilwoman Slater commented they are giving us a choice because it was handled as part of our CCO they are giving us that option if we want them to take that over or if we want to put that under somebody else.

Mayor Hutnick commented the state is going to take over fire inspections the building department is different.

Councilman Nasisi commented there is an application for a permit if you are renovating a place and you are going to put in smoke there is a separate fire sub code permit that you have to apply for. If you renovate a place there is a fire sub code official that comes in and check to make sure your have the smokes in the correct location and tests them. But then when you file for a CCO that is usually the fire marshal that will come in and he makes sure you also have the extinguisher on the wall within ten feet of the stove and on the way to the exit.

Mr. McBriar commented DCA is doing building sub code, electrical, plumbing, fire, elevator,

Councilwoman Slater commented no one really knows exactly what Kevin did, it was very confusing.

Mayor Hutnick commented for one is was licensed in everything.

Councilwoman Slater commented we should sit with Kevin and figure out exactly everything he did and what they technically should fall under [job title] so we make sure that they are covered.

Mr. McBriar commented all the fire marshal services including smoke cert, carbonmonoxide and all under that jurisdiction from the State just add that to the ordinance but it will be clear in the outline in the ordinance that they have to do inspections for life hazards, non-life hazards, smoke certs, and the like.

Mayor Hutnick commented there isn't going to be anybody here that is certified to do that.

Councilwoman Slater commented she had mentioned to Robin because we have to use their forms and go to their website to fill them out that we should get the links to all their forms and put them directly on our website under permits so people aren't getting lost going to the State website to figure it out.

Mayor Hutnick commented once it is all done and finalized we put a blurb out and let everyone know from this point forward the State is now handling the following items, here is the link to their website etc.

Councilwoman Slater commented just a heads up for Councilwoman Cowdrick and Councilman Alvarez they will be doing the bon fire permit they will be coming by to inspect them and explained. There was a brief discussion on a bon fire.

Councilwoman Slater explained if there is a penalty issued there are two parts to it one goes to the State and the other part comes to us. We get the payment. So, if the penalty is five hundred they get five hundred and we get five hundred. It goes to the fire department and is only to be used for fire equipment.

Councilman Nasisi commented that is one way to raise money for our fire department.

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Zoning Officer – Councilwoman Slater commented the Mayor and Robin have spoken to someone regarding the zoning officer position; his rate would be \$45.00 per hour. He would come in grab his folder and off he would go.

Mayor Hutnick commented there isn't a lot here. Councilwoman Slater commented 3 hours' worth of work. Ms. Hough commented on setting up an email and office area. Councilwoman Slater commented on a possible start date.

Fire Department Family Fun Day- Councilwoman Slater commented the fire department is going to host family fun day in place of not being able to do Ogdensburg Day. It will be October 9<sup>th</sup> with a rain date of October 10<sup>th</sup>. Councilwoman Slater commented we do not have the times yet she will have that by the end of this week. It will be hosted by the fire department sponsored by the Sterling Hill Mine. There will be vendors, small rides etc. The liquor license will be offered to one of our local businesses if they want to host a beer tent or beer garden. They are trying to give the town business.

**PUBLIC SESSION**

Councilman Nardini moved, Councilman Nasisi seconded motion to open the public session of the meeting. All were in favor.

No one from the public had any comments.

There being no further business from the public, Councilman Nasisi moved, Councilman Nardini seconded motion to close the public session of the meeting. All were in favor.

**EXECUTIVE SESSION**

There was no executive session.

**PAYMENT OF VOUCHERS**

Councilwoman Slater made a motion to review payment of vouchers and departmental finance reports. Seconded by Councilman Nasisi.

**Upon Roll call Vote:**

Yeas: Alvarez, Cowdrick, Nardini, Nasisi, Slater

Nays: None Absent: DeMeo Abstain None

**Current**

<b><u>DATE</u></b>	<b><u>CHECK #</u></b>	<b><u>PAID TO</u></b>	<b><u>AMOUNT</u></b>
7/13/2021	32148	145 Media	500.00
7/13/2021	32149	Action Data Services, Inc	205.60
7/13/2021	32150	Aquatic Analysts, Inc.	475.00
7/13/2021	32151	Complete Security Systems, Inc.	24.20
7/13/2021	32152	First Battalion Firefighting Equipment, LLC	3,567.00
7/13/2021	32153	Home Depot	386.18
7/13/2021	32154	JCP&L	3,457.83
7/13/2021	32155	Municipal Clerk's Association of NJ	100.00
7/13/2021	32156	Police & Firemen's Retirement Sys.	624.91
7/13/2021	32157	Public Employee's Retirement System	369.93
7/13/2021	32158	Schenck Price Smith & King LLP	5,073.24
7/13/2021	32159	Smith, Ken	822.61
7/13/2021	32160	Sonia Barria	70.00

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7/13/2021	32161	Staples Business Advantage	205.52
7/13/2021	32162	The Printing Center Inc	1,277.36
7/13/2021	32163	Township of Wantage	3,333.50
7/13/2021	32164	Treasurer, State of NJ	150.00
7/13/2021	32165	Varcadipane Jr, William J.	1,872.00
7/13/2021	32166	Walkkill Valley Regional H.S.	118,679.00
			=====
			141,223.88

**Grant Fund**

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/13/2021	32167	Sussex County Municipal Utility	13.60
			=====
			13.60

**Dog Fund**

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/13/2021	261	NJ Dept of Health & Senior Service	27.60
			=====
			27.60

**Water Op**

<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
7/13/2021	1 5127	One Call Concepts, Inc.	30.03
7/13/2021	1 5128	State of New Jersey-PWT	102.04
			=====
			=
			132.07

There being no further business, Councilwoman Slater moved, Councilwoman Cowdrick seconded motion to adjourn the meeting. All were in favor.

Meeting adjourned at 7:25p.m.

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Robin Hough, Borough Clerk

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George P. Hutnick, Mayor

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